

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:14-MJ-1839

FILED IN OPEN COURT
ON 6-2-2014 *ell*
Julie A. Richards, Clerk
US District Court
Eastern District of NC

UNITED STATES OF AMERICA

v.

ZACKERY ROBERT LULL

ORDER

This matter comes before the Court on the motion of the defendant, made in open court, for a competency evaluation pursuant to 18 USC § 4241. For good cause shown, the motion is ALLOWED.

It is hereby ORDERED that the defendant be remanded to the custody of the United States Attorney General in order that a psychiatric or psychological examination of defendant be conducted pursuant to 18 USC § 4247(b), to determine the defendant's competency to stand trial in this matter. Said examination shall be completed in a reasonable period of time, not to exceed thirty (30) days, at a suitable facility as close as practicable to this Court. A report prepared by the designated examiner shall be filed with the Court, and copies served on counsel for defendant and the Government as provided by 18 USC § 4247(c).

It is further noted that in open court, through counsel, Defendant invoked his Fifth Amendment right to refuse to answer any questions relating to his alleged involvement in the two charged offenses in this matter. At this time, Defendant has not given notice of any intent to offer any defense based upon his state of mind at the time of the alleged offenses, and therefore the evaluation ordered herein is not to include an evaluation of the defendant's state of mind at the time of the time of the alleged offenses.

SO ORDERED.

This the 2 day of June, 2014.


United States Magistrate Judge